

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Howard Milne Chandler

Application No.: 09/765,217

Filing Date: January 18, 2001

Title: APPARATUS AND METHOD FOR ANALYTE DETECTION

Art Unit: 1641

Examiner: Chin, C.

Docket No.: 0141-2005

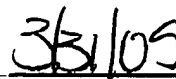
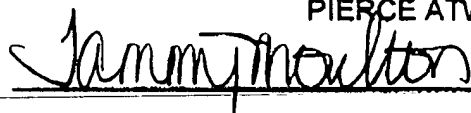
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## CERTIFICATE OF FACSIMILE TRANSMISSION

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PETITION UNDER 37 CFR 1.78(a)(3)

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Dear Sir:

This paper is filed in compliance with the provisions of 37 CFR 1.78(a)(3). Applicant requests the benefit of priority to US Application Nos. 09/166,599 (filed October 5, 1998) and 08/944,858 (filed October 6, 1997). The present application is a Division of US Application No. 09/166,599, which is a Continuation-in-part of US Application No. 08/944,858. Applicant also requests the benefit of Foreign Application PP3461/98 which was filed in Australia on May 11,

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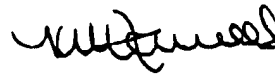
1998. The reference required by 37 CFR 1.78(a)(2)(i) is provided in the form of a Bibliographic Data Sheet included as the submission with the concurrently filed Request for Continued Examination.

The entire delay between the date the claim was due under paragraph 1.78(a)(2)(ii) and the date of this filing was unintentional. The surcharge set forth in 37 CFR 1.17(t) is attached.

Summary

In light of the above, consideration of the subject patent application is respectfully requested. Any deficiency or overpayment should be charged or credited to Deposit Account No. 500282.

Respectfully submitted,



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Date: 3/30/05

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